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7 | Attorneys for Eddie Junior Rodriguez

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 vs.
14 EDDIE JUNIOR RODRIGUEZ,
15 Defendant.

* * *

2:15-cr-020-KJD-VCF

**STIPULATION TO CONTINUE TRIAL
DATES**
(Second Request)

17 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
18 States Attorney, and Alexandra M. Michael, Assistant United States Attorney, counsel for the United
19 States of America, and Rene L. Valladares, Federal Public Defender, and William Carrico, Assistant
20 Federal Public Defender, counsel for defendant EDDIE JUNIOR RODRIGUEZ, that the calendar
21 call currently scheduled for June 9, 2015, at 9:00 a.m., be vacated and the trial currently scheduled
22 for June 15, 2015, at 9:00 a.m., be vacated and set to a time and date convenient to this Court.
23 However, in no event earlier than thirty (30) days.

24 This Stipulation is entered into for the following reasons:

25 1. Parties have tentatively negotiated the case, however counsel for the government is
26 out of the jurisdiction. A short continuance is needed to finalize the written agreement, considering
27 the exercise of due diligence.

2. The defendant is incarcerated and does not object to the continuance.

1 3. The parties agree to the continuance.

2 4. The additional time requested herein is not sought for purposes of delay, but merely
3 to allow the parties to finalize the written agreement.

4 5. Additionally, denial of this request for continuance could result in a miscarriage of
5 justice. The additional time requested by this Stipulation is excusable in computing the time within
6 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
7 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
8 3161(h)(7)(B)(i), (iv).

9 This is the second request to continue trial dates filed herein.

10 DATED this 8th day of June, 2015.

11
12 RENE L. VALLADARES
13 Federal Public Defender

14 By: /s/ William Carrico
15 WILLIAM CARRICO
16 Assistant Federal Public Defender
17 Counsel for Defendant

18 DANIEL G. BOGDEN
19 United States of America

20 By: /s/ Alexandra M. Michael
21 ALEXANDRA M. MICHAEL
22 Assistant United States Attorney
23 Counsel for the Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

2:15-cr-020-KJD-VCF

Plaintiff,

**FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER**

VS.

EDDIE JUNIOR RODRIGUEZ,

Defendant.

FINDINGS OF FACT

9 Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court
10 finds that:

11 1. Parties have tentatively negotiated the case, however counsel for the government is
12 out of the jurisdiction. A short continuance is needed to finalize the written agreement, considering
13 the exercise of due diligence.

14 2. The defendant is incarcerated and does not object to the continuance.

15 || 3. The parties agree to the continuance.

16 4. The additional time requested herein is not sought for purposes of delay, but merely
17 to allow the parties to finalize the written agreement.

18 5. Additionally, denial of this request for continuance could result in a miscarriage of
19 justice. The additional time requested by this Stipulation is excusable in computing the time within
20 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
21 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section
22 3161(h)(7)(B)(i), (iv).

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CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

ORDER

IT IS FURTHER ORDERED that trial briefs, proposed voir dire questions, proposed jury instructions, and a list of the Government's prospective witnesses must be electronically submitted to the Court by the 21st day of July, 2015, by the hour of 4:00 p.m.

14 IT IS FURTHER ORDERED that the calendar call currently scheduled for June 9, 2015, at
15 the hour of 9:00 a.m., be vacated and continued to 7/21/15 at the hour of 9:00 am; and
16 the trial currently scheduled for June 15, 2015, at the hour of 9:00 a.m., be vacated and continued
17 to 7/23/15 at the hour of 9:00 am.

DATED 9 day of June, 2015.

